

TITLE 16 DENTAL BOARD OF CALIFORNIA

NOTICE IS HEREBY GIVEN that the Dental Board of California is proposing to take the action described in the Informative Digest. Any person interested may present statements of arguments orally or in writing relevant to the action proposed at a hearing to be held at the Westin Hotel, Los Angeles Airport, 5400 W. Century Boulevard, Los Angeles, California 90045. The telephone number is (310) 216-5858. The hearing will be held at 1:30 p.m., or as soon as practicable thereafter, on Friday, August 20, 2004. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Dental Board of California at its office not later than 5:00 p.m. on Monday, August 16, 2004, or must be received by the Dental Board of California at the hearing. The Dental Board of California, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 1614 and 1645 of the Business and Professions Code, and to implement, interpret or make specific Sections 1645, 1646.5, and 1647.5 of said Code, the Dental Board of California is considering changes to Division 10, Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend 16 California Code of Regulations, Section 1016 and 1017

Regulation Sections 1016 and 1017 provide information to the licensee regarding continuing education. Section 1016 sets forth the **categories** of continuing education and specifies what types of classes are permissible to fulfill the continuing education requirements. Section 1017 provides the requirements for the **total number of units** required, the number of units within each category that can or must be taken as continuing education, and the mandatory coursework that must be completed.

Currently, every two years a licensee must take a designated number of hours in continuing education courses for renewal of their license. The proposed changes to Section 1016 would better define the **categories** of continuing education and broaden the categories, so that a licensee has more opportunity to take a wider variety of courses to complete their continuing education requirements. The Dental Board is proposing to establish Category I (relating to direct patient care) and Category II (relating to other areas of interest important to dentistry including office management, legal matters, community health issues) for these requirements. In re-defining the categories, the Board broadens the scope of continuing education for all dental health care professionals. For example, there are new federal regulations with the Health Insurance Portability and

Accountability Act (HIPAA), until these changes, a course in HIPAA has not been accepted as continuing education. This change will allow HIPAA to be accepted as a continuing education course.

The proposed changes to Section 1017 would better define the **number of units** within each category of continuing education, as better define the mode of coursework. The total number of required units remain the same. With regard to the mode of coursework, the term, ‘live’ is being added to better define “correspondence” courses versus live courses.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Cost or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17651 Requires Reimbursement: None

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses:

With regard to Section 1016, there are approximately 900 registered providers of continuing education. The Dental Board of California has determined that this regulatory proposal may create a number of jobs or new businesses that want to become providers of continuing education in the State of California. With regard to Section 1017, the Dental Board of California has determined that this regulatory proposal would not have any impact on the creation of jobs or new businesses or elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Dental Board of California has determined that there is no added cost impact to the licensee with this regulation because all licensees are required to

receive continuing education as part of being a licensed dental health care professional, and the total number of required units is not changing.

Effects on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Dental Board of California has determined that the proposed regulation would not affect small businesses because this regulation pertains to the continuing education of a licensee.

CONSIDERATION OF ALTERNATIVES

The Dental Board of California must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons that the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Dental Board of California has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Dental Board of California, 1432 Howe Avenue, Suite 85, Sacramento, California 95825.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below **[or by accessing the website listed below]**.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Linda M. Madden
Address: 1432 Howe Avenue, Suite 85
Sacramento, California 95825
Telephone: (916) 263-2300, ext. 2327
Fax Number: (916) 263-2140
E-Mail Address: linda_madden@dca.ca.gov

The back-up contact person is:

Name: Georgetta Coleman-Griffith
Address: 1432 Howe Avenue, Suite 85
Sacramento, California 95825
E-Mail Address: georgetta_coleman-griffith@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to Linda Madden (916) 263-2300, ext. 2327.

Website Access Materials regarding this proposal can be found at www.dbc.ca.gov